

United States Court of Appeals For the First Circuit

No. 20-2177

MARK ANDERSON, f/k/a John Doe,

Plaintiff - Appellant,

v.

TRUSTEES OF DARTMOUTH COLLEGE,

Defendant - Appellee.

Before

Kayatta, Lynch and Thompson,
Circuit Judges.

ORDER OF COURT

Entered: March 3, 2023

Plaintiff-Appellant Mark Anderson appeals the district court's order granting summary judgment in favor of Defendant-Appellee, the Trustees of Dartmouth College. This court reviews the district court's entry of summary judgment *de novo*, and "[s]ummary judgment may be granted only if examination of the record in the light most congenial to the nonmovant reveals 'no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.'" Suzuki v. Abiomed, Inc., 943 F.3d 555, 561 (1st Cir. 2019) (quoting Fed. R. Civ. P. 56(a)).

We note that, by virtue of the limited arguments set out in his opening brief, Plaintiff-Appellant has waived any challenge to large swaths of the district court's summary judgment decision. See Sparkle Hill, Inc. v. Interstate Mat Corp., 788 F.3d 25, 30 (1st Cir. 2015) (noting that this court "do[es] not consider arguments for reversing a decision of a district court when the argument is not raised in a party's opening brief," particularly where "the opening brief presents no argument at all challenging [the] express grounds upon which the district court prominently relied in entering judgment"); United States v. Zannino, 895 F.2d 1, 17 (1st Cir. 1990) ("[I]ssues adverted to in a perfunctory manner, unaccompanied by some effort at developed argumentation, are deemed waived.").

After consideration of the parties' submissions and relevant portions of the record, we **AFFIRM**. With the arguments set out in his opening brief, which we note are not supported by citation to relevant legal authority, Plaintiff-Appellant has failed to demonstrate error. Any remaining motions, to the extent not mooted by the foregoing, are **DENIED**.

Affirmed. See 1st Cir. Local R. 27.0(c) (summary affirmance permitted where no "substantial question" exists on appeal).

By the Court:

Maria R. Hamilton, Clerk

cc:

Mark Anderson

Elizabeth E. Ewing

Kendall Hoechst

Christopher Pierce McGown

Shapleigh Smith, Jr.